

Judge Panley

07 CV
 UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

USDC SDNY	PAUL H. 15
DOCUMENT	
ELECTRONICALLY FILED	
DOC#:	6154
DATE FILED:	6/29/07

VIOLA PLUMMER

Plaintiff

vs.

CHRISTINE QUINN, Speaker of the
City Council

Defendant

CIV. ACTION NO.07 CV

()

ORDER TO SHOW CAUSE
FOR PRELIMINARY
INJUNCTION AND TEMPOR-
ARY RESTRAINING ORDER

Upon the affidavit of Viola Plummer, sworn to on the 29th day of

June, 2007, and upon the copy of the complaint hereto annexed, it is

ORDERED, that the above named defendant attend a conference re proposed order to
~~show cause before~~

~~motion term of~~ this Court, at Room 11D, United States Courthouse, 500

Pearl Street, in the City, County and State of New York, on July, 3,

2007, at 11:45 o'clock in the fore noon thereof, or as soon thereafter as

counsel may be heard, why an order should not be issued pursuant to Rule 65 of

the Federal Rules of Civil Procedure enjoining the defendant during the

pendency of this action from suspending without pay or terminating the

employment of the Plaintiff; and it is further

~~ORDERED that, sufficient reason having been shown therefor,
 pending the hearing of plaintiff's application for a preliminary injunction, pursuant
 to Rule 65, Fed. R. Civ. P., the defendant is hereby temporarily restrained and
 enjoined from holding back the pay check and other benefits of employment due
 the plaintiff and suspending the plaintiff from working; and it is further~~

✓ ORDERED that security in the amount of \$ _____ be posted
✓ by the plaintiff prior to _____, 2007, at _____ o'clock
✓ in the _____ noon of that day; and it is further

✓ ORDERED that personal service of a copy of this order and
✓ annexed affidavit upon the defendant or her counsel on or before July 2, 2007 at 11:00AM
o'clock in the _____ noon, _____, 2007, shall be deemed
good and sufficient service thereof.

DATED:

New York, New York

ISSUED:

5:25

P. M

RMB Part I

United States District Judge

Richard M. Berman

All parties to appear before the Court on July 3, 2007
with all arguments prepared.

AFFIDAVIT

COUNTY OF KINGS))

)) ss

JUNE 29, 2007

))

VIOLA PLUMMER, under penalty of perjury, states as follows:

1. In September 2005, I was hired by City Councilmember Charles Barron to be his chief of staff.

2. Since September 2005, I have been a competent, loyal and dedicated employee of Councilmember Charles Barron and have received favorable performance evaluations.

3. On May 31, 2007, I attended a Stated Meeting of the City Council where a highly contentious vote was conducted on the right of the Bedford-Stuyvesant community to co-name 4 blocks after one of its heroes, Sonny Abubadika Carson.

4. A few days after the meeting, I began reading news reports that Speaker Christine Quinn was exploring ways to fire me for remarks I allegedly made on May 30, 2007 outside of City Hall concerning City Councilmember Comrie.

5. Indeed, on May 31st, Councilmember Comrie and I joked about certain events of the previous day. He never indicated that he felt threatened.

6. Speaker Quinn has never approached me, or, on information and belief, Councilman Barron regarding these remarks or plans to discipline me.

7. No meeting or hearing has been held where I would have the opportunity to affirm, deny, explain or challenge the remarks I allegedly made.

8. Not until I received a letter of suspension at my home at approximately 5 p.m on June 28, 2007, had I been apprised that I was also being chastised for alleged "disruptive actions" taken during the Stated Meeting of May 30th.

9. During that May 30th meeting and at no time until the letter of June 28th, no one, including the Presiding Officer, Public Advocate Gotbaum, indicated that my behavior was disruptive.

10. Many newspaper accounts, proceeding from statements or "leaks," on information and belief, from the office of the Speaker, have savaged my reputation and held me up to ridicule.


VIOLA PLUMMER

Sworn to before me this 29th day of
June, 2007


NOTARY PUBLIC

ROGER S. WAREHAM
Notary Public, State of New York
No. 02WA5024853
Qualified in New York County
Commission Expires May 6, 20 10